



The Commonwealth of Massachusetts

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 05-40

June 9, 2005

Petition of KeySpan Energy Delivery New England for Approval of Firm Transportation and Related Agreements with TransCanada Pipelines Limited and Union Gas Limited.

On May 23, 2005, KeySpan Energy Delivery New England ("KeySpan" or "Company") filed a petition with the Department of Telecommunications and Energy ("Department") for approval of firm transportation and related agreements by which TransCanada Pipelines Limited and Union Gas Limited will supply natural gas transportation service ("Agreements"). The Company states that the Agreements are expected to commence on November 1, 2006, are for a term of ten years, and will replace the Company's current contracts with Alberta Northeast. KeySpan states that under the Agreements, it will have the right to transport up to 16,794 Dth/day of gas from Dawn, Ontario to Waddington. The Agreements cover a period in excess of one year and are therefore subject to the Department's jurisdiction under G.L. c. 164, § 94A. This matter has been docketed as D.T.E. 05-40.

The Department will hold a public hearing to receive comments on KeySpan's petition. The hearing will take place on Wednesday, July 6, 2005, at 2:00 p.m. at the Department's offices, One South Station, 2nd Floor, Boston, Massachusetts, 02110. A procedural conference will follow immediately thereafter. The petition and accompanying exhibits are available for inspection at the Company's office, KeySpan Energy Delivery, 52 Second Avenue, Waltham, Massachusetts, 02451, and at the Department's offices, Monday through Friday, between the hours of 9:00 A.M. and 5:00 P.M.

Any person who desires to file written comments or to participate otherwise in this proceeding shall file an original and four (4) copies of such written comments or petition for leave to intervene in the proceeding with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts, 02110, no later than 5:00 p.m. on Monday, June 27, 2005, and serve one copy on counsel for the Company, Thomas P. O'Neill, KeySpan Energy Delivery, 52 Second Avenue, Waltham, Massachusetts, 02451.

A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

Please submit a copy of all nonproprietary written pleadings, comments, or petitions to intervene to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us and carol.pieper@state.ma.us; or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding, D.T.E. 05-40; (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Text responses should be formatted as either Word Perfect, Microsoft Word, or Adobe PDF compatible files. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dte>.

Any person desiring further information regarding this notice may contact: Carol M. Pieper, Hearing Officer, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts, 02110, tel. (617) 305-3561.

By Order of the Department,

/s/
Mary L. Cottrell, Secretary